

Amendment No. 1 to HB0964

Armstrong
Signature of Sponsor

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 1144

House Bill No. 964*

By deleting the language "63-13-3-303" in the amendatory language of Section 1 and by substituting instead the language "63-13-303".

AND FURTHER AMEND by deleting subdivision (a)(4) of the amendatory language of Section 2 and by substituting instead the following:

(4) A licensed physical therapist may treat a patient without a referral when all of the following apply:

(A) When a patient provides the name of a licensed doctor of medicine, chiropractic, dentistry, podiatry or osteopathy and expressly wants the physical therapist to inform such physician, the physical therapist shall inform the patient's licensed doctor of medicine, chiropractic, dentistry, podiatry or osteopathy not later than five (5) business days after the evaluation. A consultation shall occur between the physical therapist and the patient's licensed doctor of medicine, chiropractic, dentistry, podiatry or osteopathy within the first six (6) visits or fifteen (15) business days, whichever comes first, of the findings of the patient's initial visit for physical therapy and any subsequent visits. Should that consultation not take place, no further therapy beyond the six (6) visits or fifteen (15) days, whichever comes first, will be delivered;

(B) Where a patient does not provide the name of a licensed doctor of medicine, chiropractic, dentistry, podiatry or osteopathy or expressly states to the therapist that the patient does not want a licensed doctor of medicine, chiropractic, dentistry, podiatry or osteopathy informed of the initiation of therapy services, the therapist shall have the patient sign a consent form that confirms the patient either does not have a licensed doctor of medicine, chiropractic, dentistry, podiatry osteopathy or does not want a licensed doctor of medicine

chiropractic, dentistry, podiatry or osteopathy informed of the initiation of therapy treatment. Such consent form shall be maintained in the patient's record;

(C) If the patient presents to the physical therapist for a problem for which the patient has been seen by a licensed doctor of medicine, chiropractic, dentistry, podiatry or osteopathy within the past twelve (12) months, the consent of the patient is not necessary to inform that licensed doctor of medicine, chiropractic, dentistry, podiatry or osteopathy of the presentation for the physical therapy treatment. If the patient has no licensed doctor of medicine, chiropractic, dentistry, podiatry or osteopathy, then the physical therapist shall make a suggestion from the list of available providers and shall inform the patient of the forty-five (45) day limitation in subdivision (a)(4)E);

(D) If the physical therapist determines, based on reasonable evidence, that no substantial progress has been made with respect to that patient within fifteen (15) calendar days or six (6) visits, whichever occurs first, immediately following the date of the patient's initial visit with the physical therapist, the physical therapist shall not provide any additional physical therapy services and shall refer the patient to a licensed physician, doctor of chiropractic, dentist, podiatrist, or osteopath. If the patient previously was diagnosed with chronic, neuromuscular, or developmental conditions by a physician, doctor of chiropractic, dentist, podiatrist or osteopath and the evaluation, treatment or services are being provided for problems or symptoms associated with one (1) or more of those previously diagnosed conditions, then the provisions of this subdivision (a)(4)(D) do not apply. If a patient returns to the physical therapist within ninety (90) days of treatment with the same complaint, then the physical therapist shall make an immediate referral to the appropriate health care provider;

(E) When a patient's licensed doctor of medicine, chiropractic, dentistry, podiatry or osteopathy has not been notified of the physical therapy services,

under no circumstances should therapy services continue beyond forty-five (45) days immediately following the date of the patient's first visit;

(F)

(i) It shall be considered unprofessional conduct for the purposes of § 63-13-312 for a physical therapist to knowingly initiate services for the same complaint for which a patient:

(a) Has started therapy services but another therapist did not inform a licensed doctor of medicine, chiropractic, dentistry, podiatry or osteopathy within five (5) business days of the initial evaluation in accordance with Section 2(a)(4)(A); or

(b) Has reached the fifteen (15) day and six (6) visit limit imposed by subdivision (a)(4)(D) where no substantial progress has been made from another physical therapist; or

(c) Has reached the forty-five (45) day limit imposed by subdivision (a)(4)(E).

(ii) The provisions of this subdivision (a)(4)(F) do not apply if a referral from a licensed doctor of medicine, chiropractic, dentistry, podiatry or osteopathy is made; and

(G) If, at any time, the physical therapist has reason to believe that the patient has symptoms or conditions that require treatment or services beyond the scope of practice of a physical therapist, the physical therapist shall refer the patient to a licensed health care practitioner acting within the practitioner's scope of practice.

AND FURTHER AMEND by deleting subdivision (b)(3) of the amendatory language of Section 2 and by substituting instead the following:

(3)

(A) The person has completed at least three (3) years of experience as a licensed physical therapist; and

(B) The person has completed a course approved by the board of occupational and physical therapy examiners and offered by an accredited university of at least fifteen (15) hours, designed to enable the physical therapist to identify signs and symptoms of systemic disease, particularly those that can mimic cardiological, neurological, oncological, or musculoskeletal disorders, and to recognize conditions that require timely referral to a physician, dentist, osteopath, podiatrist or chiropractor.